

March 14, 2011

The Honorable Kurt Olson, Chair  
House Labor and Commerce Committee  
State Capitol  
Juneau, AK 99801-1182

**Re: HB 63 - Development of PBT Chemicals List – OPPOSE**

Dear Chairman Olson:

The Consumer Specialty Products Association must respectfully oppose HB 63 (Holmes), which would, among other things, direct the Department of Health and Social Services to establish, and update every three years a list of “persistent bioaccumulative toxic chemicals (PBTs)” that occur or are used in products used by human beings.

The Consumer Specialty Products Association (CSPA) is the premier trade association representing the interests of some 250 companies engaged in the manufacture, formulation, distribution and sale of \$80 billion annually in the U.S. of hundreds of familiar consumer products that help household and institutional customers create cleaner and healthier environments. Our products include disinfectants that kill germs in homes, hospitals and restaurants; candles, and fragrances and air fresheners that eliminate odors; pest management products for home, garden and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day.

CSPA members are committed to manufacturing and marketing safe products that are protective of human health and the environment while providing essential benefits to consumers. CSPA has adopted its members' commitment into the CSPA Principles for Chemicals Management Policy, available online at <http://www.cspa.org/infocenter/our-issues/principles-for-chemicals-management-policy/>.

CSPA supports programs that are risk based and use sound science. Programs should be governed by an advisory panel in which all stakeholders have a voice. CSPA supports programs that encourage resource pooling and build on existing statutory and regulatory structures, voluntary initiatives and data development efforts.

We are unclear why a PBT list is being drafted and how the list will be used in the future. HB 63 should include specific language that clearly describes the intent and future plans for creating and utilizing a state-specific PBT list.

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To provide consistency with other regulatory structures, the PBT screening criteria used by the United States Environmental Protection Agency (USEPA) should be adopted. As currently drafted, Section 18.31.680 does not contain a clear set of definitions for the characteristics of P or B or T that is consistent with generally accepted PBT screening criteria. Though the bill does ask the Department to consider other sources of PBT information (e.g. Washington State PBT program, USEPA high production volume challenge program), CSPA believes that the bill should establish a clear definition to help ensure a focus on priority substances.

In addition, CSPA believes the bill should include language that directs the Department to develop and implement a stakeholder process through which interested parties can participate and provide input into the development and potential use of any PBT lists or potential alternative chemicals. A formal stakeholder process will help ensure that the overall process is informed by the best available scientific information.

HB 63 could be appreciably improved with the addition of language that provides transparent and objective parameters for selecting the best available scientific information. An example is the European Chemicals Agency's (ECHA)'s guidance document titled "Guidance on Information Requirements for Chemical Safety Assessment." The ECHA's guidance provides four specific parameters for selecting the best available scientific information based on relevance, reliability, and adequacy. The fundamental importance of having screening parameters is embodied in a quote by the ECHA, which stated "[t]he knowledge of how a study was carried out and consequently its relevance and reliability, is a prerequisite for the subsequent evaluation [and use] of [the] information."

For the reasons expressed above, we must oppose HB 63. Please contact me at (916) 838-3587 or [kpower@cspa.org](mailto:kpower@cspa.org) if you have questions regarding CSPA's concerns.

Sincerely,



Kristin Power

Director, State Affairs – West Region

cc: Representative Holmes  
Members, House Labor and Commerce Committee  
CSPA State Government Affairs Advisory Committee